

CHAPTER 53

SOIL AND WATER CONSERVATION DISTRICT COMMISSIONERS — ELIGIBILITY — VACANCIES — ELECTION

H.F. 469

AN ACT relating to the election of commissioners of soil and water conservation districts.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 161A.5, subsection 2, Code 2017, is amended to read as follows:

2. a. The governing body of each district shall consist of five commissioners elected on a nonpartisan basis for staggered four-year terms commencing on the first day of January that is not a Sunday or holiday following their election.

b. Any eligible elector residing in the district is eligible to the office of commissioner, except that ~~no not~~ more than ~~one commissioner~~ two commissioners shall at any one time be a resident of any one township. A vacancy is created in the office of any commissioner who changes residence into a township where another commissioner two commissioners then resides reside.

c. If a commissioner is absent for sixty or more percent of monthly meetings during any twelve-month period, the other commissioners by their unanimous vote may declare the member's office vacant. A vacancy in the office of commissioner shall be filled by appointment of the state soil conservation committee until the next succeeding general election, at which time the balance of the unexpired term shall be filled as provided by [section 69.12](#).

Sec. 2. Section 161A.5, subsection 3, paragraph e, Code 2017, is amended to read as follows:

e. If the canvass shows that ~~the two~~ or three candidates receiving the highest ~~and the second highest~~ number of votes for the office of ~~district~~ commissioner are ~~both~~ all residents of the same township, the board shall certify as elected the ~~candidate who received the two~~ candidate receiving the highest number of votes for the office and the candidate receiving the next highest number of votes for the office who is not a resident of the same township as the candidate receiving the highest number of votes, if any. If one commissioner whose term has not expired is a resident of the township, and the canvass shows that two or three candidates receiving the highest number of votes for the office are from the same township, the board shall certify as elected the candidate receiving the highest number of votes for the office and the candidate receiving the next highest number of votes for the office who is not a resident of the same township, if any, as the candidate receiving the highest number of votes.

Approved April 12, 2017